

COPY

**ORDINANCE No. 2009-05-18-2**

**THE SIGN  
ORDINANCE**

**CITY OF LAKEWAY, TEXAS**

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**CITY OF LAKEWAY ORDINANCE NO. 2009-05-18-2****THE SIGN ORDINANCE**

**AN ORDINANCE AMENDING IN THEIR ENTIRETY ORDINANCES NO. 97-12-15-5 AND NO. 2005-07-18-2, AND ALL AMENDMENTS THERETO, OF THE CITY OF LAKEWAY, TEXAS, ADOPTING A COMPREHENSIVE REGULATION FOR ALL SIGNS WITHIN THE CITY OF LAKEWAY AND ITS EXTRA-TERRITORIAL JURISDICTION; PROVIDING FOR ISSUANCE OF LICENSES AND PERMITS; PROVIDING FOR REGISTRATION OF CERTAIN SIGNS; ESTABLISHING OTHER REQUIREMENTS; VARIANCES; DEFINITIONS SEVERABILITY; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the intent of Ordinance No. 2008-12-15-X is to protect the public health, safety, and welfare by limiting hazards to motorists and pedestrians brought about by distracting sign displays and by removing obstructions from the view of motorists and to protect and preserve property values by assuring the continued attractiveness of the community and to maintain the natural beauty and atmosphere of the Texas Hill Country setting of the City of Lakeway by restricting in number and appearance all commercial, private, or public signs in the City of Lakeway and within its extraterritorial jurisdiction, the Zoning and Planning Commission is authorized to approve or deny approval of all signs within the City of Lakeway and the area within its extraterritorial jurisdiction. The restrictions in this ordinance impose no hardship on commercial ventures in the area; commercial ventures in the area will benefit from the maintenance of the atmosphere of the area and will be rewarded by the enthusiasm of the residents and visitors for their willingness to protect the environmental quality of the City of Lakeway and its surrounding area; and, whereby it is determined that regulation of the location, size, placement, and certain features of signs is necessary to enable the public to locate goods, services and facilities without difficulty and confusion, to prevent wasteful use of natural resources among businesses competing for attention, to prevent hazards to life and property and to assure the continued attractiveness of the community and to protect property values; and

**WHEREAS**, it is further determined that signs which may be lawfully erected and maintained under the provisions of this ordinance are consistent with customary usage, and that the signs which may not lawfully be erected or maintained under the provisions hereof are not consistent with customary usage or are in abuse thereof and/or constitute an unwarranted invasion of the rights of legitimate business interests and the public; and

**WHEREAS**, it is the purpose of this ordinance to eliminate excessive and confusing sign displays which do not relate to the premises on which they are located; to provide signs which concisely identify premises on which signs are permitted and to preserve and improve

the appearance of the City and its surrounding area as a place in which to live and work; and

**WHEREAS**, it is the intent of this ordinance to protect an important aspect of the economic base of the City by preventing the destruction of the natural beauty and environment of the City and the area within its extraterritorial jurisdiction, which is instrumental in attracting nonresidents who come to visit, trade, or vacation; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; and to protect the public health, safety and general welfare; and

**WHEREAS**, it is the intent and purpose of this ordinance to promulgate and provide for the enforcement of regulations and standards governing the size, spacing and lighting of outdoor advertising along rural roads within the City's extraterritorial jurisdiction which conform to or are more stringent than those adopted by the State Department of Highways and Public Transportation; and

**WHEREAS**, it is determined that the sign regulations contained herein significantly advance the City's interest in public safety and the protection of public and private property and represent the least burdensome means of control available to the City to protect the public safety, health, and welfare.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKEWAY, TEXAS:**

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## ARTICLE I – GENERAL

### Section 1.01            Authority

This ordinance is adopted under the authority of the Constitution and laws of the State of Texas.

### Section 1.02            Purpose

The purpose of this ordinance is to protect the public health, safety, and welfare by limiting hazards to motorists and pedestrians brought about by distracting sign displays and by removing obstructions from the view of motorists, and to protect and preserve property values by assuring the continued attractiveness of the community, and to maintain the natural beauty and atmosphere of the Texas Hill Country setting of the City of Lakeway and the general community by restricting in number and appearance all commercial, private, or public signs in the City of Lakeway and within its extraterritorial jurisdiction.

### Section 1.03            Definitions

For the purposes of this ordinance, the definitions of terms, phrases, words, and their derivations shall have the meaning and effect ascribed to them in Exhibit "A" attached hereto. Words used in this ordinance and not defined in Exhibit "A" shall have their ordinarily accepted meaning.

### Section 1.04            Compliance Required

It shall be unlawful for any person to erect, place, maintain, alter or relocate a sign within the corporate limits of the City of Lakeway except in accordance with the provisions of this ordinance. It shall be unlawful for any owner of real property in the City to have any sign located on such property except in accordance with the provisions of this ordinance. The regulations pertaining to permanent signage contained in this ordinance shall apply to the City's extraterritorial jurisdiction. Regulations pertaining to temporary signage shall not apply to the City's extraterritorial jurisdiction, except that no temporary sign in the City's extraterritorial jurisdiction shall exceed thirty-six (36) square feet.

## ARTICLE II – APPLICATIONS, APPROVALS AND PENALTIES

### **Section 2.01**      **General**

Except as otherwise provided herein, it is unlawful for any person to erect, alter, or relocate within the City or its extraterritorial jurisdiction any sign, as defined herein, without complying with the following requirements:

- A. Completion of a sign application; and
- B. Payment of the required fee (as established in the City's Fee Ordinance); and
- C. Review and approval by the Zoning and Planning Commission or the Code Official, as set out in this Ordinance.

### **Section 2.02**      **Representations by Applicant**

All representations, whether oral or written, made by the applicant or his agent on behalf of the application for a sign permit under this Ordinance become conditions upon which a permit is issued. It shall be unlawful for the permittee to vary from such representations unless the permittee first makes application, as required by the provisions of this Ordinance, to amend the permit and such amendment is approved in writing by the proper authority.

### **Section 2.03**      **Permit Fees**

At the time the Building and Development Services Department accepts the sign application, the applicant shall pay the required fee per the City's Fee Ordinance. An application may include all the proposed signs for a single lot or tract.

### **Section 2.04**      **Application Acceptance**

To be accepted for review, a sign application must be properly completed, signed and dated, and delivered to the City Building and Development Services Department.

### **Section 2.05**      **Notice**

No public notice is required for sign applications.



## **Section 2.06**      **Approvals Required**

- A. Sign applications requiring Zoning and Planning Commission approval shall be considered at the commission's next regularly scheduled meeting. The applicant shall be notified of the time and place of said meeting, and shall attend the meeting, in person or by representative, to answer any questions the Commission may have.
- B. The Zoning and Planning Commission shall approve, reject or approve upon condition, the sign application based upon its conformance with the provisions of this ordinance and its aesthetic value. The Commission shall determine that all signs requiring its approval under this ordinance are in conformance with the Ordinance and in harmony with the character of the City and its extraterritorial jurisdiction.
- C. Upon the approval by the Zoning and Planning Commission, the sign application shall be returned to the Code Official for issuance of a Sign Permit.
- D. Upon the denial of a permit by the Zoning and Planning Commission, the sign application shall be returned to the Code Official and the applicant shall be given notification in writing defining the reason for disapproval and making recommendations to bring the sign into conformance with the provisions of this ordinance.
- E. Sign applications requiring Code Official approval shall be reviewed within two weeks of the time a complete application is submitted.
- F. The Code Official may, for any reason, elect to present any application to the Zoning and Planning Commission for approval.

## **Section 2.07**      **Appeals Procedure**

- A. Appeal from any determination by the Zoning and Planning Commission pursuant to the provisions of this ordinance may be filed with the City's Board of Adjustment by any applicant within thirty (30) days following the date of the Commission's rejection, conditional approval or other determination. In the event of appeal, the Board of Adjustment may affirm, reverse, or modify the action of the Zoning and Planning Commission.
- B. Appeal from an administrative action or determination by the Code Official may be filed with the Zoning and Planning Commission within thirty (30) days following the date of the Code Official's rejection, conditional approval or other determination. The Zoning and Planning Commission shall then affirm, reverse, or modify the action of the Code Official at the commission's next regularly scheduled meeting.

**Section 2.08**            **Penalties**

Any person convicted of a violation of any provision of this ordinance shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day of violation under this ordinance shall be a separate violation.

## ARTICLE III – GENERAL DESIGN STANDARDS

### **Section 3.01**      **Harmonious Design and Materials**

Signs and supporting structures shall be in architectural harmony with the associated building(s). Monument signs shall be solid masonry (stone, brick and/or stucco) to match the associated building(s). Depending on the proposed sign design, metal that matches the building(s) may approved by the Zoning and Planning Commission. Reflective surfaces and molded plastic signs are not permitted.

### **Section 3.02**      **Lighting**

- A. Lighting shall be of no greater wattage than is necessary to make the sign readable at night. Sign illumination shall not utilize any exposed light source, such as exposed neon, fluorescent tubing and bare incandescent bulbs. Except as otherwise provided in this Ordinance, exposed LED (Light Emitting Diodes) type lighting is prohibited. The use of search lights is prohibited. Signs utilizing “flat panel” technology are prohibited.
- B. No sign shall be illuminated, in whole or in part, where the illumination is intermittent or varies in color or intensity from time to time, nor shall any sign be so illuminated that it interferes with traffic or obscures an official traffic sign, device or signal. All flood lights shall be shielded.
- C. Sign backgrounds shall not be internally illuminated.
- D. All sign lighting shall utilize ground fault interceptors in the electrical supply circuit. All electrical wiring shall be concealed.
- E. Electrical work on signs shall only be conducted by a licensed State Electrical Contractor.

### **Section 3.03**      **Traffic Safety Requirements**

No sign shall obstruct visibility or otherwise cause a traffic hazard. Signs may not be located within a minimum 10-foot by 10-foot visibility triangle at the intersection of all street rights-of-way and driveways.

### **Section 3.04**      **Landscaping**

Landscaping, where required, should be designed to be in harmony with the building and surrounding natural landforms and native plants, and shall be irrigated.

## ARTICLE IV – PERMITTED SIGNS

### Section 4.01            Sign Category Designations

The following is a listing of sign categories permitted under the provisions of this ordinance with their section reference number:

#### Section 4.02 Temporary Signs

- A. Real Estate Signs
  - 1. Residential Real Estate Signs
  - 2. Non-Residential Real Estate Signs
  - 3. Open House – General Signs
  - 4. Open House – Directional Signs
- B. Construction Signs
  - 1. Residential Construction Signs
  - 2. Project Development Signs
  - 3. Model Home/Sales Office Signs
- C. Banners
  - 1. Public Information Banners
  - 2. New Business Banners
  - 3. Charitable Event Banners
- D. Special Event Signs
- E. Political Signs
- F. No Trespassing Signs

#### Section 4.03 Permanent Signs

- A. Monument Signs
- B. Monument Signs – Multi-Tenant
- C. Building Signs
- D. Open/Closed Signs
- E. Hanging/Projecting Signs
- F. Directory Signs
- G. Traffic Control Signs
- H. Church Information Signs
- I. Residential Name and Address Signs
- J. Public Information Signs
  - 1. Monument Signs
  - 2. Marquee Signs

### Section 4.02            Temporary Signs

- A. Real Estate Signs
  - 1. Residential Real Estate Signs

- a. Purpose: To identify improved and unimproved residential real estate that is for sale, lease or rent, and to provide a method to distribute sales, lease or rental literature or information, and to permit inspection of the premises and improvements.
- b. Maximum Size:
  - 1) RR 620 and SH 71: 4 sq. ft.
  - 2) All other: Brochure containers 9 inches (width) by 11 inches (length) by 3 inches (depth)
- c. Maximum Height: 4 ft.
- d. Number: One per lot or tract.
- e. Location: On premises within the property lines.
- f. Design: Standard sign limited to the sales/leasing agent's contact information (name, logo, phone number, web site/e-mail address). Brochure containers must be waterproof.
- g. Lighting: None allowed.
- h. Duration: To be removed within 48 hours after being sold, rented or leased.
- i. Landscape: None required.
- j. Additional:
  - 1) No balloons, banners, streamers, etc. allowed on site or sign.
  - 2) No permit or fee required.

## **2. Non-Residential Real Estate Signs**

- a. Purpose: To identify improved and unimproved non-residential real estate that is for sale, lease or rent, and to provide a method to distribute sales, lease or rental literature or information, and to permit inspection of the premises and improvements.
- b. Maximum Size:
  - 1) RR 620 and SH 71: 12 sq. ft.

- 2) All other: 4 sq. ft.
- c. Maximum Height:
  - 1) RR 620: 8 ft.
  - 2) All other: 4 ft.
- d. Number: One per lot or tract. If the property is improved and includes a multi-tenant monument sign with tenant names identified on the sign as provided for in this Ordinance, free-standing non-residential real estate signs advertising lease space shall not be permitted.
- e. Location: On premises within the property lines, within close proximity to any existing monument signs.
- f. Design: Limited to the sales/leasing agent's contact information (name, logo, phone number, web site/e-mail address). Stand-alone signs shall have at least two painted wood supports with matching wood framing around the sides and top of the sign. The sign shall be two-sided and shall use earth tone colors.
- g. Lighting: None allowed.
- h. Duration: To be removed within 48 hours after being sold, rented or leased.
- i. Landscape: None required.
- j. Additional:
  - 1) No balloons, banners, streamers, etc. allowed on site or sign.
  - 2) Permit requires Code Official approval.

### **3. Open House – General Signs**

- a. Purpose: To identify open houses.
- b. Maximum Size: Letters not to exceed 4 inches in height. Sign not to exceed 18 inches by 24 inches.
- c. Maximum Height: 3 ft.
- d. Number: One per lot or tract.

- e. Location: On premises within the property lines. It may be on the same stake as the brochure container or may be mounted separately.
- f. Design: Signs shall be generic and provide no information other than "Open House."
- g. Lighting: None allowed.
- h. Duration: Only during the open house.
- i. Landscape: None required.
- j. Additional:
  - 1) No balloons, banners, streamers, etc. allowed on site or sign.
  - 2) Business card contact info must be attached to each sign.
  - 3) No permit or fee required.

#### **4. Open House – Directional Signs**

- a. Purpose: To assist in the location of open houses.
- b. Maximum Size: Letters not to exceed 4 inches in height. Sign not to exceed 18 inches by 24 inches.
- c. Maximum Height: 3 ft.
- d. Number: One directional sign at the street intersection of a directional change along the route to the open house. Intermediate signs are not permitted.
- e. Location: Signs shall be located no closer than 10 feet from the hard surface of the street and shall not be located in medians. Permission from property owners must be obtained prior to placing signs on private property. Signs may only be located at the street intersection of a directional change along the route to the open house. Intermediate signs are not permitted. Signs are not permitted at any point along RR 620 or SH 71.
- f. Design: Signs shall be generic and provide no information other than "Open House" and an arrow.
- g. Lighting: None allowed.

- h. Duration: No earlier than 30 minutes prior to scheduled open house and removed no later than 30 minutes after the open house closes. Displayed only on Sundays, from 12 noon to 5 p.m.
- i. Landscape: None required.
- j. Additional:
  - 1) No balloons, banners, streamers, etc. allowed on site or sign.
  - 2) Business card contact info must be attached to each sign.
  - 3) No permit or fee required.

## **B. Construction Signs**

### **1. Residential**

- a. Purpose: To identify residential construction projects.
- b. Maximum Size: 4 sq. ft.
- c. Maximum Height: 4 ft.
- d. Number: One sign per project.
- e. Location: On the premises, within the property lines, street side only.
- f. Design: Limited to the residence address, general contractor, architect or designer and their logos, telephone numbers and web site/e-mail info.
- g. Lighting: None allowed.
- h. Duration: To be erected after building permit is issued and to be removed when the project is completed or a Certificate of Occupancy is issued or within 72 hours of occupancy.
- i. Landscape: None required.
- j. Additional: No permit or fee required.



## **2. Project Development**

- a. Purpose: To identify subdivision improvement and site development construction and development projects.
- b. Maximum Size: 24 sq. ft.
- c. Maximum Height: 8 ft.
- d. Number: One sign per project.
- e. Location: On the premises, within the property lines.
- f. Design: Limited to the project name and address, project renderings general contractor, architect or designer, financing agent, contact agent and their logos, telephone numbers and web site/e-mail info.
- g. Lighting: None allowed.
- h. Duration: To be erected after construction permit is issued and to be removed upon completion of construction.
- i. Landscape: None required.
- j. Additional: Permit requires Code Official approval.

## **3. Model Home/Sales Office**

- a. Purpose: To identify a trailer or residential structure which is being temporarily utilized as a sales office.
- b. Maximum Size: 12 sq. ft.
- c. Maximum Height: 6 ft.
- d. Number: One sign per structure. One sign per builder per subdivision.
- e. Location: On the premises, within the property lines.
- f. Design: Limited to subdivision name, address, builder name and/or logo, telephone numbers and web site/e-mail info.
- g. Lighting: Spot lit only. No internal illumination.

- h. Duration: After Special Use Permit is issued and to be removed when model home/sales office is closed
- i. Landscape: A minimum of 25 sq. ft. at the base.
- j. Additional:
  - 1) The term of the permit shall coincide with the term of the Special Use Permit for the model home approved by the City.
  - 2) Permit requires Code Official approval.

## **C. Banners**

### **1. Public Information**

- a. Purpose: To identify occasional or special community, educational, charitable and civic events, facilities, activities or social events.
- b. Maximum Size: 24 sq. ft.
- c. Maximum Height: 8 ft.
- d. Number: Subject to approval of City Manager.
- e. Location: Subject to approval of City Manager.
- f. Design: Subject to approval of City Manager.
- g. Lighting: None allowed.
- h. Duration: Subject to approval of City Manager.
- i. Landscape: None required.
- j. Additional: Permits may be issued administratively based on criteria established by the City Manager.

### **2. New Business**

- a. Purpose: To identify businesses that are soon to open and to identify businesses that are newly opened.
- b. Maximum Size: 24 sq. ft.

- c. Maximum Height: 8 ft.
- d. Number: One sign.
- e. Location: On premises within the property lines.
- f. Design: Sign shall contain only the name of the business, logo, type of business, telephone number, web site/e-mail info, date of opening, and address.
- g. Lighting: None allowed.
- h. Duration: A maximum of 60 days. (A “coming soon” banner may be replaced with a “now open” banner during this time period.)
- i. Landscape: None required.
- j. Additional: Permit requires Code Official approval.

### **3. Charitable Event**

- a. Purpose: To identify charitable events where 100% of the proceeds are donated to a family or individual coping with a special medical condition or physical disaster.
- b. Maximum Size: 24 sq. ft.
- c. Maximum Height: 8 ft.
- d. Number: One sign.
- e. Location: On premises within the property lines of a non-residential establishment where the event is to be held.
- f. Design: Sign shall only contain information related to the description, location and date/time of the event and shall not include commercial advertising.
- g. Lighting: None allowed.
- h. Duration: A maximum of 1 week prior to the event.
- i. Landscape: None required.
- j. Additional: Permit requires Code Official approval.

**D. Special Event Signs**

1. Purpose: To promote special events that, due to the location of the event and the volume of traffic anticipated by the event, necessitate special identification and directional signage.
2. Maximum Size: Subject to ZAPCO approval
3. Maximum Height: Subject to ZAPCO approval
4. Number: Subject to ZAPCO approval.
5. Location: Subject to ZAPCO approval.
6. Design: Subject to ZAPCO approval.
7. Lighting: Subject to ZAPCO approval.
8. Duration: Subject to ZAPCO approval.
9. Landscape: Subject to ZAPCO approval.
10. Additional: Permit requires ZAPCO approval.

**E. Political Signs**

9. Purpose: To promote a political figure or cause.
10. Maximum Size: 36 sq. ft.
11. Maximum Height: 8 ft.
12. Number: No limit to the number of signs per lot or tract.
13. Location: May not be located in the public right-of-way.
14. Design: Not applicable.
15. Lighting: None allowed.
16. Duration: Signs concerning an election shall be removed within 18 hours after the election.
11. Landscape: None required.

12. Additional: No permit or fee required.

#### **F. No Trespassing Signs**

1. Purpose: To indicate where trespassing is prohibited.
2. Maximum Size: 4 sq. ft.
3. Maximum Height: 4 ft.
4. Number: Four. Additional signs may be approved by Code Official.
5. Location: On premises within property lines.
6. Design: Shall only state "No Trespassing," "Private Property," and/or "Violators will be Prosecuted."
7. Lighting: None allowed.
8. Duration: To be removed at discretion of property owner.
9. Landscape: None required.
10. Additional: No permit or fee required.

### **Section 4.03          Permanent Signs**

#### **A. Monument Signs**

1. Purpose: To identify a building, business, multifamily complex, or residential subdivision through the use of a freestanding monument.
2. Maximum Size.
  - a. RR 620 and SH 71: Text and logo shall be no more than 36 sq. ft.; address numbers shall be no more than 8 sq. ft.; and the monument shall be no greater than 12 ft. wide.
  - b. All others: Text and logo shall be no more than 24 sq. ft.; address numbers shall be no more than 8 sq. ft.; and the monument shall be no greater than 12 ft. wide.
3. Maximum Height: The monument shall be no more than 8 ft. high.

4. Number: One sign on the primary access street. If there are public entrances on other streets, proposals for additional signs may be approved by ZAPCO.
5. Location: On premises within the property lines. (Monument signs may also be approved for stand-alone pad site buildings that are part of a multi-tenant center but are not platted as individual lots. Pad site buildings may not have separate monument signs and also be included on the multi-tenant center's monument sign.)
6. Design: The monument shall be solid masonry (stone, brick and/or stucco) to match the building(s). Depending on the proposed design, metal that matches the building(s) may be approved by the Zoning and Planning Commission. Only the name of the building, business, complex or subdivision (no description), the associated logo, and the address numbers are permitted. The name, logo and address numbers shall be the same color. The use of additional colors for minor accents may be approved by the Zoning and Planning Commission. Letters shall be a minimum of 6 inches in height. Address numbers shall be a minimum of 18 inches in height on RR 620 and SH 71 and 12 inches in height for all other streets. Letters shall be stencil cut (regular or push-through), channel (reverse or face-lit) or individually pinned on. Reflective surfaces and molded plastic backgrounds are not permitted.
7. Lighting: Spot lit or individual letter internal illumination.
8. Duration: Permanent.
9. Landscape: A minimum of 100 sq. ft. at the base of the sign. Landscaping shall be installed and maintained so that the visibility of the address numbers is not obstructed.
10. Additional.
  - a. If located in public utility easement, the owner of the property is responsible for removal, relocation or replacement at a utility company's request.
  - b. Permit requires ZAPCO approval.

#### **B. Monument Signs -- Multi-Tenant**

1. Purpose: To identify a multi-tenant center through the use of a freestanding monument.
2. Maximum Size.
  - a. RR 620 and SH 71: Tenant text and logo panels shall be no more than 40 sq. ft. total; the multi-tenant center name shall be no more than 16 sq. ft.; address

numbers shall be no more than 8 sq. ft.; and the monument shall be no greater than 12 ft. wide.

- b. All others: Tenant text and logo panels shall be no more than 24 sq. ft. total; the multi-tenant center name shall be no more than 12 sq. ft.; address numbers shall be no more than 8 sq. ft.; and the monument shall be no greater than 12 ft. wide.
3. Maximum Height: The monument shall be no more than 10 ft. high.
4. Number: One sign on the primary access street. If there are public entrances on other streets, proposals for additional signs may be approved by ZAPCO.
5. Location: On premises within the property lines.
6. Design: The monument shall be solid masonry (stone, brick and/or stucco) to match the building(s). Depending on the proposed design, metal that matches the building(s) may be approved by the Zoning and Planning Commission. Only the center name and logo, tenant names and logos (no descriptions), and address numbers are permitted. One of the tenant panels shall be used solely for the purpose of providing contact information for leasing space at the multi-tenant center if advertising for lease space is desired. All text and logos shall be uniform in color, material and lighting. The use of additional colors for minor accents may be approved by the Zoning and Planning Commission. Each tenant panel shall be a minimum of 1 ft. high and 4 ft. wide. Address numbers shall be a minimum of 18 inches in height on RR 620 and SH 71 and 12 inches in height for all other streets. Letters shall be stencil cut (regular or push-through), channel (reverse or face-lit) or individually pinned on. Reflective surfaces and molded plastic backgrounds are not permitted.
7. Lighting: Spot lit or individual letter internal illumination.
8. Duration: Permanent.
9. Landscape: A minimum of 100 sq. ft. at the base of the sign. Landscaping shall be installed and maintained so that the visibility of the address numbers is not obstructed.
10. Additional.
  - a. If located in public utility easement, the owner of the property is responsible for removal, relocation or replacement at a utility company's request.
  - b. Permit requires ZAPCO approval.

### **C. Building Signs**

1. Purpose: To identify the occupant(s) of a building through the use of a sign mounted on the building.
2. Maximum Size.
  - a. RR 620 and SH 71: 24 sq. ft. and no greater than 16 ft. wide.
  - b. All others: 16 sq. ft. and no greater than 8 ft. wide.
3. Maximum Height: Below the roof eaves.
4. Number: One sign per occupant of the building. If there are public entrances on more than one street or parking area, proposals for additional signs may be approved by ZAPCO.
5. Location: On the building.
6. Design: Only the name of the occupant and associated logo is permitted. All signage in a multi-tenant center must be uniform in material and lighting. No more than two principle colors may be used for text and logos per sign and no more than two principle colors may be used throughout a multi-tenant center. The use of additional colors for minor accents may be approved by the Zoning and Planning Commission. Letters shall be channel (reverse or face-lit) or individually pinned on. Reflective surfaces and molded plastic backgrounds are not permitted.
7. Lighting: Subject to approval of ZAPCO.
8. Duration: Permanent.
9. Landscape: None required.
10. Additional: Permit requires ZAPCO approval.

### **D. Open/Closed Signs**

1. Purpose: To indicate when a business is open or closed.
2. Maximum Size: 2 sq. ft. total
3. Minimum Height: Inside the storefront window or door.
4. Number: One per business.



5. Location: Inside the storefront window or door.
6. Design: Exposed neon is permitted.
7. Lighting: Exposed neon is permitted.
8. Duration: Permanent.
9. Landscape: None required.
10. Additional: No permit or fee required.

**E. Hanging/Projecting Signs**

1. Purpose: To provide store identification for pedestrians in a multi-tenant center.
2. Maximum Size: 4 sq. ft.
3. Minimum Height: 8 ft.
4. Number: One per tenant.
5. Location: Perpendicular to, hung from, or attached to a projecting structural element of an exterior wall in front of the tenant entrance.
6. Design: Color and materials shall be complimentary to the primary signage for the multi-tenant center. Subject to approval of ZAPCO.
7. Lighting: None allowed.
8. Duration: Permanent.
9. Landscape: None required.
10. Additional: Permit requires ZAPCO approval.

**F. Directory Signs**

1. Purpose: To list all tenants within a multi-tenant center and to guide the pedestrian to the individual tenant within the center.
2. Maximum Size: 12 sq. ft. total with no more than one sq. ft. allotted to each individual tenant.

3. Maximum Height: 4 ft.
4. Number: One sign. Proposals for additional signs may be approved by ZAPCO if warranted by the size of the center.
5. Location: Attached to the building or free-standing subject to ZAPCO approval.
6. Design: Color and materials shall be complimentary to the primary signage for the multi-tenant center. Subject to approval of ZAPCO.
7. Lighting: Spot lit. No internal illumination.
8. Duration: Permanent.
9. Landscape: Subject to approval of ZAPCO.
10. Additional: Permit requires ZAPCO approval.

#### **G. Traffic Control Signs**

1. Purpose: To relieve vehicular and pedestrian traffic congestion and promote the safe and expedient flow and parking of traffic on private property.
2. Maximum Size: 12 sq. ft. and no more than 2 sq. ft. per directional statement.
3. Maximum Height: 4 ft.
4. Number: Subject to approval of ZAPCO.
5. Location: Subject to approval of ZAPCO.
6. Design: May contain only the name of the business and the directional statement(s).
7. Lighting: Spot lit. No internal illumination.
8. Duration: Permanent.
9. Landscape: Subject to approval of ZAPCO.
10. Additional:
  - a. Permit requires ZAPCO approval.
  - b. All traffic control signs shall be of uniform design. No individual sign shall be approved unless it conforms to an overall sign plan for the entire site.

## **H. Church Information Signs**

1. Purpose: To provide information on religious services.
2. Maximum Size: 12 sq. ft.
3. Maximum Height: 3 ft.
4. Number: One sign per church.
5. Location: On the building or on premises within the property lines, no closer than 25 ft. to the property lines.
6. Design: Subject to approval of ZAPCO.
7. Lighting: Spot lit. No internal illumination.
8. Duration: Permanent.
9. Landscape: A minimum of 25 sq. ft. at the base.
10. Additional: Permit requires ZAPCO approval.

## **I. Residential Name and Address Signs**

1. Purpose: To identify a house, showing the family name and or the home name and the address.
2. Maximum Size: 2 sq. ft. for a single-family residence. One sq. ft. for a multi-family residence.
3. Maximum Height: 3 ft.
4. Number: One sign for each dwelling unit.
5. Location: On premises within the property lines, unless affixed to the mailbox or mailbox structure.
6. Design: Individual multi-family signs shall be uniform throughout the development.
7. Lighting: Spot lit. No internal illumination.
8. Duration: Permanent.

- 9. Landscape: None required.
- 10. Additional: No permit or fee required.

## **J. Public Information Signs**

### **1. Monument Signs**

- a. Purpose: To provide directions to community, public and civic facilities.
- b. Maximum Size: Subject to ZAPCO approval.
- c. Maximum Height: Subject to ZAPCO approval.
- d. Number: Subject to ZAPCO approval.
- e. Location: Subject to ZAPCO approval.
- f. Design: Subject to ZAPCO approval.
- g. Lighting: Subject to ZAPCO approval.
- h. Duration: Permanent.
- i. Landscape: Subject to ZAPCO approval.
- j. Additional: Permit requires ZAPCO approval.

### **2. Marquee Signs**

- a. Purpose: To provide information related to school functions.
- b. Maximum Size: 36 sq. ft.
- c. Maximum Height: 8 ft.
- d. Number: Subject to ZAPCO approval.
- e. Location: Subject to ZAPCO approval; on school property.
- f. Design: Subject to ZAPCO approval.

- g. Lighting: Subject to ZAPCO approval. LED (Light Emitting Diode) may be approved.
- h. Duration: Permanent.
- i. Landscape: Subject to ZAPCO Approval.
- j. Additional: Permit requires ZAPCO approval.

## ARTICLE V – EXEMPTED AND PROHIBITED SIGNS

### Section 5.01            Exempted Signs

The provisions of this ordinance shall not apply to the following signs:

- A. Nonconforming signs. Nonconforming signs shall be governed by the regulations in place at the time they were permitted. Modification of a sign or its structure to which the sign is attached shall require the sign to comply with the regulations of this ordinance. Routine maintenance of a nonconforming sign does not forfeit the sign's exempted status.
- B. Memorial signs or tablets which denote names of buildings and date of erection when cut into any masonry surface on the building or when constructed of bronze or other metal if they are four (4) square feet or less and attached to the building.
- C. Historic markers provided by a governmental entity.
- D. Official governmental notices and notices posted by governmental officers in the performance of their duties, governmental signs to control traffic, to identify streets, to warn of danger or for other regulatory purposes.
- E. Works of fine art, as defined in this ordinance, which in no way identify or advertise a product or business;
- F. Temporary decorations or displays, when they are clearly incidental to and are customarily and commonly associated with any national, local or religious holiday or celebration, provided that such decorations are maintained in an attractive condition, do not constitute a fire, traffic or pedestrian hazard, and are removed within a reasonable time (approximately 30 days) after the event or celebration has occurred.
- G. United States, Texas or City of Lakeway flags provided they are maintained in an attractive condition, do not constitute a fire, traffic or pedestrian hazard, and are flown no higher than 25 feet.
- H. Temporary or permanent signs erected by public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices.
- I. Signs displayed on trucks, buses, trailers or other vehicles which are being operated in the normal course of a business (i.e. they are parked in areas appropriate to their use as vehicles, carry a current and valid license plate and state inspection tag, and are in operable condition), indicating the name of the owner, business and location, (e.g. moving vans, delivery trucks, rental trucks and trailers, etc.), provided that the primary purpose of the vehicles is not for the display of signs.

## **Section 5.02      Prohibited Signs**

Any sign not expressly authorized by this ordinance, or specifically exempted from the provisions hereof, is prohibited. Examples of prohibited signs include, but are not limited to:

- A. Portable signs, except those used for temporary purposes as otherwise provided for in this ordinance.
- B. Lighted signs in doors and/or windows except as otherwise provided for in this ordinance.
- C. Cloth, canvas, paper, soft plastic, balloons, flags, or similar advertising signs or devices except as provided for in this ordinance.
- D. Molded plastic, plastic sheet or flex-face signs.
- E. Signs that have the appearance of traffic safety signs and lights, or municipal vehicle warnings, from a distance.
- F. Any sign attached to or placed on or in a vehicle, or a trailer parked on public or private property, or cruising on public or private roads in the City or its extraterritorial jurisdiction (i.e. "for sale" sign). Through traffic is exempted from this provision, as are signs displayed on vehicles which are being operated in the normal course of a business, as described in Section 5.01.
- G. Boxes stored in view of the street, etc. which have large product identification that serves as a sign.
- H. Signs or advertising materials that are worn, held or attached to a person's body.
- I. Signs that contain moving parts. Apparent motion of the visual message, caused by, but not limited to the illusion of moving objects, moving letters, moving patterns or boards of light, expanding, contracting or rotating shapes, or similar effects such as "scrolling" or "running" messages are prohibited except as otherwise provided for in this Ordinance.
- J. Signs or messages projected on any external surface.
- K. Posters, placards, handbills, flyers or adhesive-affixed signs.
- L. Signage, advertising or messages of any type affixed to or painted upon natural features such as trees or rocks.
- M. String lighting that is not associated with a national, local or religious holiday or celebration as allowed in Section 5.01.
- N. "For Sale" and "For Lease" signs posted in the windows of residential structures.

## ARTICLE VI – SIGN MAINTENANCE, REPAIR AND REMOVAL

### Section 6.01            Maintenance Required

All signs shall be properly maintained in good repair and appearance at all times and shall conform to all specifications, conditions and terms included in a permit issued by the City for the affected sign and its required landscaping. The Zoning and Planning Commission, Code Official or Code Enforcement Officer shall have the authority to order the painting, repair or removal of a sign and accompanying landscaping which constitute a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence or abandonment. The City shall be entitled to seek injunctive relief to obtain the removal of any sign that constitutes a threat to the public health or safety.

### Section 6.02            Notice of Violation

Before enforcement efforts are undertaken by the City or before prosecution for a violation of this ordinance, the Zoning and Planning Commission, Code Official or Code Enforcement Officer may determine that any sign is erected or maintained in violation of the provisions of this ordinance. In that event, the Code Enforcement Officer shall give written notice of the violation either by personal delivery or by certified mail, return receipt requested, to the owner or person entitled to possession of the sign and the owner of the property on which the sign is located. Said notice shall:

- A. State the nature of the violation;
- B. Direct that the sign be altered or removed, or that the violation otherwise be corrected, to comply with the provisions of this ordinance, within ten (10) days of receipt of the notice;
- C. Advise that a hearing may be requested before the Zoning and Planning Commission to determine whether the sign is or has been erected or maintained in violation of this ordinance by filing a written application for such a hearing with the Code Official before the expiration of said ten (10) day period.
- D. No provision of this Section shall be construed to impose a requirement that any agency of the City must provide notice and an opportunity for a hearing before the Commission before the City seeks available penalties for violations of this ordinance.

### Section 6.03            Hearing

- A. Within thirty (30) days after the filing of the written application for hearing, the Zoning and Planning Commission shall hold a public hearing to determine whether the sign has been erected, is being maintained, or is located in violation of this ordinance. Written notice of the date, time and place of the hearing shall be forwarded to the person



requesting the hearing, and, if not the same person, the owner or person entitled to possession of the property or sign not less than seven (7) days before the date of the hearing.

- B. At the conclusion of the public hearing, the Zoning and Planning Commission shall determine whether the sign has been erected or is being maintained in violation of this ordinance. If the Zoning and Planning Commission concludes that a violation has occurred, it shall order that the required corrective action be completed within ten (10) days of the date of the hearing.

#### **Section 6.04                      Removal of Nonconforming Signs**

The City may require the relocation, reconstruction or removal of a sign in accordance with TEX. LOC. GOV'T. CODE ANN. Chapter 216 et seq.

## ARTICLE VII – VARIANCES AND WAIVERS

### Section 70.01 Standards for Approval

#### **A. General**

1. Waivers and variances may be granted only when consistent with the general purposes and intent of this ordinance so that public health, safety and welfare may be secured and substantial justice done.
2. Pecuniary hardship to the applicant, standing alone, shall not be deemed to constitute undue hardship.
3. No waiver or variance shall be granted if it would provide the applicant with any special privileges not enjoyed by owners of other similarly situated property with similarly timed development.

#### **B. Waivers**

Waivers of the strict application of this ordinance may be granted or required if they meet all of the following requirements:

1. The request is a relatively insignificant deviation from the requirements of this ordinance.
2. The request would not have any material adverse effect on the property rights of others.
3. The request would not affect applicable zoning and other regulations of the City.
4. The request would, in a particular situation, enhance public safety more than strict compliance with a provision of this ordinance.
5. The request would, in a particular situation, be more satisfactory to the overall plan of the City than strict compliance with a provision of this ordinance.

#### **C. Variances**

Variances to the provisions of this ordinance may be granted if the variance meets all of the following requirements:

1. A special individual reason makes the strict application of the ordinance impractical.
2. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of the ordinance would deprive the applicant of

the reasonable use of his land.

3. The applicant will incur specific hardships should the variance not be granted. A hardship may result from the size, shape or dimensions of a structure, from the location of the structure, from topographic or physical conditions on the site or in the immediate vicinity, or from other physical limitations, locations or traffic conditions in the immediate vicinity.
4. The modification is in conformity with the intent and purpose of the ordinance.
5. The granting of the variance will not be detrimental to the public health, safety, or welfare, convenience or injurious to the property in the area.
6. The granting of the variance will not create the probability of harmful environmental consequences.
7. The variance will not negatively impact traffic conditions.
8. The granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of the ordinance.

## **Section 7.02                      Approval Authority**

### **A. Code Official**

Waivers of the strict application of some provisions of this ordinance may be approved by the Code Official.

### **B. Zoning and Planning Commission**

Variances to the provisions of this ordinance may be granted by the Zoning and Planning Commission.

## **Section 7.03                      Approval Procedures**

### **A. Waivers**

1. All requests for waivers shall be made in writing to the Code Official. The request shall state the specific portion(s) of the ordinance with which the proposed sign will not comply and shall provide a detailed discussion as to why the applicant wishes to deviate from the ordinance. The request shall be accompanied by supportive materials as requested by the Code Official.

2. The Code Official shall review the request for completeness and accuracy and, if the request addresses the exception in a satisfactory manner, shall make a determination.
3. After a determination has been made, the Code Official shall provide the applicant and the Zoning and Planning Commission with a letter stating the determination and noting any conditions for approval, if applicable.
4. The Zoning and Planning Commission may cancel such waiver by a simple majority vote made within 45 days of the date the waiver was granted.

#### **B. Variances**

1. All requests for variances shall be made in writing to the Code Official. The request shall state the specific portion(s) of the ordinance with which the proposed sign will not comply and shall provide a detailed discussion as to why the applicant wishes to deviate from the ordinance. The request should be accompanied by supportive materials as requested by the Code Official.
2. The Code Official shall review the requests for completeness and prepare a report for the Zoning and Planning Commission. In making this report, the Code Official shall address the intent of the ordinance regulations, any unique conditions or specific hardships that would warrant the granting of the request, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity.
3. The Zoning and Planning Commission shall then review the request, hold a public hearing and make a final determination. Such findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Commission meeting at which such variance is granted or denied.
4. Determinations made by the Zoning and Planning Commission may be appealed to the Board of Adjustment. The appeal must be made within 30 days of the determination.

#### **Section 7.04      Notice**

No public notice is required for waiver or variance applications.

#### **Section 7.05      Duration**

##### **A. Expiration**

Waivers and variances expire concurrently with the permit for which they were granted.

## **B. Zoning and Planning Commission Determinations**

Once a determination has been made by the Zoning and Planning Commission regarding a variance request, the same request may not be made to the Commission for a period of six (6) months following the determination.

### **Section 7.07      Fee**

At the time the Building and Development Services Department accepts the variance application, the applicant shall pay the required fee per the City's Fee Ordinance.

## ARTICLE VIII – LIABILITY

The provisions of this ordinance shall not be construed as relieving or limiting in any way the responsibility of any person, firm or corporation erecting or owning any sign from personal injury or property damage resulting from the placing of the sign, or resulting from the negligence or willful acts of such person, firm or corporation, its agents, employees or workmen, in the design, construction, maintenance, repair or removal of any sign erected in accordance with a permit issued under the provisions of this ordinance. Nor shall it be construed as imposing upon the City or its officers, employees or Zoning and Planning Commission, any responsibility or liability by reason of the approval of any sign, materials or devices under the provisions of this ordinance.

## ARTICLE IX – ADMINISTRATION

### Section 9.01 Rules and Regulations

The Commission may adopt, from time to time, such rules and regulations as it may deem necessary to perform its prescribed duties.

### Section 9.02 Conflicting Ordinances Repealed

The enactment of this ordinance repeals Ordinance Nos. #97-12-15-4, 98-10-19-1, 2001-05-21-1, 2001-08-20-2, 2003-07-21-2, 2003-09-15-3, 2004-05-03-1, 2004-09-20-1, 2004-10-12-1, and 2005-07-18-2 on the effective date of this ordinance.

### Section 9.03 Preservation of Actions

The repeal of any ordinance or part of any ordinance effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance, or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the City, under any section or provisions of any ordinance at the time of the passage of this ordinance.

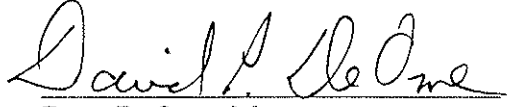
### Section 9.04 Severability

If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to any person, firm, corporation, or other entity, or to any particular set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance, and the applicability of such ordinance to all other person, firms, for corporations, and entities, and to all other sets of circumstances, shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof, or provision or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality or other invalidity of any other portion hereof, and all provisions and applications of this ordinance are declared to be severable for such purposes.

**Section 9.05**      **Effective Date**

This ordinance shall become effective on June 1, 2009.

**PASSED AND APPROVED** this 18<sup>th</sup> day of May, 2009.

  
\_\_\_\_\_  
Dave DeOme, Mayor  
City of Lakeway

ATTEST:

  
\_\_\_\_\_  
Christy Fath, City Secretary .





## EXHIBIT A: DEFINITIONS

For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning ascribed to them in this Exhibit, except where the context clearly indicates a different meaning.

**Argon:** see "Neon"

**Average grade:** The grade of the finished ground level at the midpoint of each exterior surface of a sign, or a structure, in the event that the sign is attached to the structure.

**Banner:** A sign made of fabric or any non-rigid material, including but not limited to flags and pennants.

**Billboard:** Any sign that is free-standing or attached to or part of a building and is an off-premise sign.

**Boards of Light:** Signs composed of illuminated message boards or panels.

**Building:** Any structure, either temporary or permanent, having a roof or other covering, and designed or used for the shelter or enclosure of any person, animal or property of any kind, including but not limited to tents, awnings or vehicles situated on private property and used for purposes of a building.

**Church:** A religious organization that qualifies for a state religious tax exemption.

**City:** The City of Lakeway, Travis County, Texas, and its area of extra-territorial jurisdiction as defined by the Local Government Code §42.021(2).

**Code Enforcement Officer:** An employee of the City certified by the Texas Department of Health as a Code Enforcement Officer.

**Commercial sign:** A sign which directs the attention of the general public to a business, product, service, or other commercial or business activity.

**Commission:** The Zoning and Planning Commission of the City of Lakeway, Texas.

**Erect:** To build, construct, alter, reconstruct, pour, lay, move upon, attach, hang, place, suspend or affix, and also includes the painting of wall signs, murals or supergraphics, or any physical operation on the premises which are required for the construction of a sign including excavation, site clearance, landfill, and the like.

**Extraterritorial Jurisdiction (ETJ):** The extraterritorial jurisdiction of the City of Lakeway, Texas is that land not within the corporate limits of the City of Lakeway, Texas, but land over which the City has jurisdiction by virtue of the Texas Local Government Code.

**Fine art:** Sculpture, fountains or similar objects, which in no way identify or advertise a product or business.

**Freestanding sign:** Any sign which is not attached to or on the walls, face, or exterior of a building.

**Hanging sign:** see "Projecting sign".

**Irrigated:** Watered through an automatic sprinkler or irrigation system.

**Logo:** A unique symbol or design that is used to identify a company or organization. A logo may or may not be trademarked.

**Lot:** An undivided tract or parcel of land having access to a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement, and designated as a distinct and separate tract or lot.

**Neon or neon lighting:** A sign, trim, or decoration with the illumination provided by a gas filled electrical discharge lamp in which the gas is made up of a large proportion of neon, argon, krypton or other inert gases.

**Notice:** Actual notice by personal delivery or written notice sent by registered or certified mail.

**Nonconforming sign:** Any sign which would be unlawful or nonconforming, but for the fact that such sign was lawfully in existence on the date of the passage of this ordinance.

**Office complex:** Two or more offices and/or office establishments, sharing customer parking areas, regardless of whether said offices or office establishments occupy separate structures or are under separate ownership, or on separate tracts or lots of land.

**Off-premises sign:** Any sign other than an on-premises sign.

**On-premises sign:** A free-standing sign identifying or advertising a business, person, or activity, and installed and maintained on the same premises as the business, person, or activity.

**Owner:** A person recorded as the owner on official records. The owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are established.

**Person:** Includes corporation, partnership, association, trust, firm, executor, receiver, trustee, lessee as well as an individual.

**Portable sign:** Any sign not permanently affixed to a building, structure or the ground and designed or constructed in such a manner that it can be moved or relocated without involving significant structural or support changes. This definition includes, but is not limited to, A-frame signs, sandwich signs, curb signs and signs on trailers with or without wheels or on other

vehicles which are primarily used as signs.

**Premises:** A lot or tract within the City of Lakeway, Texas or its extra-territorial jurisdiction.

**Projection:** The process of projecting an image (usually filmed) onto a screen or surface.

**Reflective surface:** Any material or device which has the effect of intensifying reflected light, including but not limited to scotch light, day glow, glass beads and luminous paint.

**Restoration:** The routine maintenance and painting of existing approved signs, that does not change the approved design and color in any way.

**Running Signs:** Signs whose visual message moves in a left to right or right to left motion.

**Scrolling Signs:** Signs whose visual message moves in a top to bottom or a bottom to top motion.

**Shopping Center:** Two or more retail stores and/or service establishments, or one retail store and one service establishment, sharing customer parking area, regardless of whether said stores and/or establishments occupy separate structures or are under separate ownership or on separate lots or tracts of land.

**Sign:** A name, identification, image, light device or accent, figure, painting, drawing, message, plaque, poster, billboard, banner, description, display or illustration which is affixed to, painted or represented directly or indirectly upon a building, picture, structure, window, or piece of land, and which directs attention to an object, project, place, activity, facility, service, event, attraction, person, institution, organization, or business which is visible from any street (both public and private), right of way, sidewalk, alley, park, or other public property, lake, or golf course. Customary displays of merchandise or objects and material without lettering which are placed behind a store window are not signs or parts of signs.

**Surface Area of a Sign:** The total surface including frame and mounting, but shall include only one-half of a free-standing back-to-back sign, provided the free-standing sign's sides are back to back or angled with no greater separation between sides at its widest point than four (4) feet and provided that both sides have the identical sign. In cases where the frame and mounting are part of the building or when the frame and mounting could be considered to be a landscape element, the Zoning and Planning Commission MAY choose to count only the area that would be covered by tracing, using straight lines and right angles, around the perimeter of the letters.

**Temporary Sign:** A sign that is only allowed for a limited period of time and is not intended to remain in place permanently.

